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Attorneys for Defendant Availink Inc.

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

HDMI LICENSING ADMINISTRATOR,  
INC.

Plaintiff,

v.

AVAILINK INC.

Defendant.

Case No. 4:22-CV-06947-HSG

DECLARATION OF VINCENT  
FILARDO, JR.

1 I, Vincent Filardo, Jr., declare and state as follows:

2           1. I am counsel for Defendant Availink in the above-captioned matter, and I am  
3 admitted to this Court on a *pro hac vice* basis. Dkt. No. 25.

4           2. The parties are jointly requesting that the Court continue the initial case  
5 management conference and oral argument on the pending motion to dismiss currently scheduled  
6 for July 20, 2023, to July 27, 2023. Plaintiff filed its complaint on November 7, 2022 (Dkt No. 1),  
7 and Defendant filed a partial motion to dismiss on April 12, 2023 (Dkt. No. 30). As discussed at  
8 the prior case management conference, held on April 25, 2023, the Court extended the initial case  
9 management conference to coincide with the date of the hearing on the motion to dismiss (July  
10 20, 2023). Dkt. No. 39.

11           3. The parties have agreed to participate in private mediation, with a deadline to  
12 complete this mediation by July 17, 2023. Dkt. No. 35. The parties currently are planning to  
13 participate in the mediation on July 12, 2023. In order to allow them to complete the mediation  
14 before the case management conference, and for the updated case management statement to  
15 reflect what occurred at the mediation, the parties are jointly requesting an extension of the  
16 hearing and initial case management conference, to July 27, 2023 (with the updated case  
17 management statement to be filed on July 20, 2023).

18           4. There was a prior extension of the case management conference, moving it from  
19 February 14, 2023, to April 25, 2023, to allow the Defendant to retain local counsel and for the  
20 parties to confer about claims and defenses. Dkt. No. 15.

21           5. The requested modification will not change any deadlines other than the July 20,  
22 2023 deadline to submit an updated case management statement.

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct.  
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5 Dated: May 12, 2023

KING & WOOD MALLESONS

6 /s/ Vincent Filardo, Jr. \_\_\_\_\_

7 Vincent Filardo, Jr.  
8 Attorneys for Defendant  
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